

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

WILLIAM JOSEPH GRAHAM, and  
CRYSTAL MYRICK, on  
behalf of themselves and  
all others similarly situated,

Civil Action No.: 3:09-CV-00655

Plaintiffs,

v.

JURY TRIAL DEMANDED

LEXISNEXIS RISK & INFORMATION  
ANALYTICS MANAGEMENT GROUP, INC.,  
REED ELSEVIER, INC.,  
SEISINT, INC.,  
and  
PROFESSIONAL ACCOUNT SERVICES, INC.,

Defendants.

**JOINT STATUS REPORT**

COME NOW the Parties, Plaintiffs William Joseph Graham and Crystal Myrick (collectively, “Plaintiffs”), and Defendants LexisNexis Risk Data Management Inc. (f/k/a Seisint, Inc.), LexisNexis Risk Solutions FL Inc. (f/k/a LexisNexis Risk & Information Analytics Group Inc.), and Reed Elsevier Inc. (collectively, “the Seisint Defendants”), and through their respective Counsel of Record hereby state:

1. On September 2, 2010, the Seisint Defendants filed a Motion to Dismiss for Lack of Subject Matter Jurisdiction. (*See* Docket Nos. 88 & 89.) In connection with their Motion to Dismiss, the Seisint Defendants agree to an extension of time for Plaintiffs to respond to the Motion, which was otherwise due on September 13, 2010. That extension is addressed further in paragraph 4 below.

2. While Plaintiffs have served written discovery and that discovery remains outstanding, the Parties agree that no written discovery will be exchanged until the Court rules on the Seisint Defendants' Motion to Dismiss.

3. The Parties agree that Plaintiffs will take the deposition of Lisa Policastro, who submitted a declaration in support of the Motion to Dismiss, before responding to the Motion. The Seisint Defendants will provide dates on which Ms. Policastro is available for deposition within five business days of the filing of this Report.

4. The Parties agree that Plaintiffs will immediately order, for ordinary turnaround, the transcript from Ms. Policastro's deposition, and Plaintiffs' response to the Motion to Dismiss will be due 21 days after the date upon which they receive the transcript.

5. The Parties agree that the Seisint Defendants may file a rebuttal brief to Plaintiffs' response within ten days of service of Plaintiffs' response to the Motion to Dismiss.

6. The Parties are currently negotiating a stipulated protective order and will file, for entry by the Court, an agreed order or each Party's competing order within ten days of the date of filing of this Report.

Respectfully submitted,

Dated: September 16, 2010

/s/ Leonard A. Bennett

Leonard A. Bennett  
Virginia Bar No. 37523  
CONSUMER LITIGATION ASSOCIATES P.C.  
12515 Warwick Boulevard, Suite 100  
Newport News, VA 23606  
Telephone: (757) 930-3660  
Facsimile: (757) 930-3662  
Email: lenbennett@cox.net

Dale W. Pittman  
Virginia Bar No. 15673  
THE LAW OFFICE OF DALE W. PITTMAN, P.C.  
The Eliza Spotswood House  
112-A West Tabb Street  
Petersburg, VA 23803-3212  
Telephone: (804) 861-6000  
Facsimile: (804) 861-3368  
Email: dale@pittmanlawoffice.com

Michael A. Caddell  
Cynthia B. Chapman  
Craig C. Marchiando  
CADDELL & CHAPMAN  
1331 Lamar, Suite 1070  
Houston, TX 77010  
Telephone: (713) 751-0400  
Facsimile: (713) 751-0906

**COUNSEL FOR PLAINTIFFS**

Dated: September 16, 2010

/s/ David N. Anthony  
David N. Anthony  
Virginia State Bar No. 31696  
TROUTMAN SANDERS LLP  
1001 Haxall Point  
Richmond, VA 23219  
Telephone No.: (804) 697-5410  
Facsimile No.: (804) 698-5118  
Email: david.anthony@troutmansanders.com

James F. McCabe  
James R. McGuire  
MORRISON & FOERSTER LLP  
426 Market Street  
San Francisco, CA 94105-2482  
Telephone: (415) 268-7011  
Facsimile: (415) 268-7522  
Email: jmccabe@mofo.com  
Email: jmcguire@mofo.com

**COUNSEL FOR DEFENDANTS**